

1 The Hon. Benjamin H. Settle
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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
TACOMA

9 SCOTT TOWNSEND and DEBORAH
10 TOWNSEND, husband and wife,

11 Plaintiff,

12 vs.

13 THE BANK OF NEW YORK MELLON, f/k/a
14 THE BANK OF NEW YORK AS TRUSTEE
15 FOR FIRST HORIZON ALTERNATIVE
MORTGAGE SECURITIES TRUST 2006-
AA6, MR. COOPER, formerly NATIONSTAR
MORTGAGE LLC,

16 Defendants.

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18 CASE: 3:20-cv-05397-BHS

DECLARATION OF CHRISITNA L
HENRY IN SUPPORT OF RESPONSE
TO MOTION TO DISMISS OR TO
REMAND

Note on Motion Calendar

June 19, 2020

Christina L Henry declares and states as follows:

1. I am one of the attorneys for the Plaintiffs in this matter, I am over the age of 18,
and I base this declaration on my personal knowledge and review of my filed in this matter.

2. The Defendants The Bank of New York Mellon (“BONY”) through their agents
Mr. Cooper and their law firm, filed a judicial foreclosure complaint in Pierce County Superior
Court of Washington under case number 19-2-07409-0 on April 25, 2019 and amended on May
17, 2019 (“State Court Lawsuit”)

3. Since the filing of the State Court Lawsuit, the state court has not issued any ruling and the case has not been calendared for trial. The defendants have obtained default against those parties that are necessary to quiet title, but the remaining parties are still in the beginning stages of discovery. Above all, the state court has not issued any substantive rulings about the case, including any rulings on jurisdictional questions. *See Exhibit A.*

I DECLARE UNDER PENALTY OF PERJURY OF THE LAWS OF THE STATE OF
WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED at Bothell, Washington on June 2, 2020.

/s/ *Christina L Henry*
Christina L Henry, WSBA# 31273